

09/28/00  
jc927 U.S. PRO

10-02-00

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Patent  
252/124

To: Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

jc564 U.S. PRO  
09/676052  
09/28/00

**NEW APPLICATION TRANSMITTAL - UTILITY**

Sir:

Transmitted herewith for filing is a **utility** patent application:

**Inventor(s):** Michael K. Skinner and Jodi L. Patton

**Title:** A METHOD OF DETERMINING TUMOR CHARACTERISTICS BY DETERMINING ABNORMAL COPY NUMBER OR EXPRESSION LEVEL OF LIPID-ASSOCIATED GENES

**I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):**

- 64 Page(s) of Written Description  
7 Page(s) Claims  
1 Page(s) Abstract  
2 Sheets of Drawings ☒ Informal ☐ Formal

**II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

- ☒ Declaration  
☒ Power of Attorney ☒ Separate ☐ Combined with Declaration  
☒ Assignment to Atairgin Technologies, Inc. and assignment cover sheet  
☒ Verified Statement establishing "Small Entity" under 37 CFR §§ 1.9 and 1.27  
☐ Priority Document No(s):  
☐ Information Disclosure Statement w/PTO 1449 ☐ Copy of Citations  
☒ Sequence Listing and Diskette Containing Sequence Listing  
☒ Return Postcard

OC-56081.1

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL496952307US  
Express Mail Label No.

September 28, 2000  
Date of Deposit

Lynne Fulmer  
Name of Person Mailing Paper

Lynne Fulmer  
Signature of Person Mailing Paper

III. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

<b>BASIC FILING FEE:</b>							\$690.00
Total Claims	21	-	20	=	1	x \$18.00	\$18.00
Independent Claims	3	-	3	=	0	x \$78.00	\$0.00
Multiple Dependent Claims	\$260	(if applicable)				<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>							\$708.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.							<input checked="" type="checkbox"/> \$354.00
Misc. Filing Fees (Recordation of Assignment -- \$40)							\$40.00
<b>TOTAL FEES DUE HERewith</b>							\$394.00

IV. METHOD OF PAYMENT OF FEES

☒ Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of \$394.00.

V. AUTHORIZATION TO CHARGE FEES

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Lyon & Lyon's Deposit Account No. 12-2475 for the following:

- ☐ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☐ 37 CFR § 1.17 – (Any application processing fees)
- ☐ 37 CFR § 1.21 – (Assignment recording fees)

VI. CORRESPONDENCE ADDRESS

Please send all correspondence to Customer Number 22249:



22249

PATENT  
TRADEMARK  
OFFICE

LYON & LYON LLP  
Suite 4700  
633 W. Fifth Street  
Los Angeles, CA 90071

Please direct all inquiries to Kurt T. Mulville, at (949) 567-2300.

Respectfully submitted,

LYON & LYON LLP

Dated: September 28, 2000

By:

Kurt T. Mulville  
Reg. No. 37,194

KTM/lf  
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213/955-0440 Facsimile

Applicant or Patentee: Michael K. Skinner and Jodi L. Patton

Serial or Patent No.: Not Yet Assigned

Filed or Issued: Herewith

For: A METHOD OF DETERMINING TUMOR CHARACTERISTICS BY DETERMINING ABNORMAL COPY NUMBER OR EXPRESSION LEVEL OF LIPID-ASSOCIATED GENES

#2  
RA  
2-15-01

# **VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c)) – SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

business concern name and address: Atairgin Technologies, Inc., 4 Jenner, Suite 180, Irvine, California 92618

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-part or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

A METHOD OF DETERMINING TUMOR CHARACTERISTICS BY DETERMINING ABNORMAL COPY NUMBER OR EXPRESSION LEVEL OF LIPID-ASSOCIATED GENES

by inventor(s) Michael K. Skinner and Jodi L. Patton

described in

- ☒ the specification filed herewith
- ☐ the application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

**\*NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Patrick D. Walsh

TITLE OF PERSON SIGNING Chief Executive Officer

ADDRESS OF PERSON SIGNING 4 Jenner, Suite 180, Irvine, California 92618

SIGNATURE

Patrick D. Walsh

DATE

7/5/00

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

10/16/2000 SDAVIS 00000044 122475 09676052

01 FC:201	345.00 CH
02 FC:203	9.00 CH